

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, November 28, 2007 at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Howard Shook, Chair Janice D. Davis, CFO
 Councilmember Felicia A. Moore Departmental Staff
 Councilmember Clair Muller
 Councilmember Kwanza Hall
 Councilmember Jim Maddox
 Councilmember Cleta Winslow

Chairperson Shook called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, Clair Muller, Kwanza Hall, Jim Maddox and Cleta Winslow. Other Departmental staff was present as well.

The Agenda was adopted as printed with four new Resolutions and a new First Read Ordinance. Minutes of the November 19, 2007 Regular Finance/Executive Committee were adopted. Chairperson Shook stated that we have five Walk-Ins today. We have a paper that enters into a State Contract for ERP Training and another one for ERP Production. A paper to amend an existing Citywide Demolition Contract, a paper to make a change to the Occupational Tax Code and a paper that was taken out of the Legislative Package to allow the City to keep updating a database for contact information for lots, etc. We are doing it as a separate item. The motion is to add the five papers.

TO APPOINT MR. JEFFREY H. BREEDLOVE TO SERVE AS A MEMBER OF THE ATLANTA SISTER CITIES COMMISSION

07-C-2441 (1) A Communication by Council President Lisa M. Borders appointing **Mr. Jeffrey H. Breedlove** to serve as a member of the Atlanta Sister Cities Commission. This appointment is for a term of three (3) years scheduled to begin on the date of Council confirmation.

FAVORABLE

Chairperson Shook offered a motion to **Approve and Forward to Committee on Council, 5 Yeas.**

REGULAR AGENDA

TO ANTICIPATE AND APPROPRIATE BOND PROCEEDS IN THE AMOUNT OF \$87,433,865.65

07-O-2389 (1) An Ordinance by Finance/Executive Committee to Anticipate and Appropriate Bond Proceeds in the amount of \$87,433,865.65 from the Atlantic Station Tax Allocation District Refunding Bond Series 2007; and Amend the 2008 Budget, in an amount of \$7,600,843.75, by Transferring Funds from 1B08 (Atlantic Station TAD Fund) 792003 (Reserve, Rest Sink FD REQ) T65100 (Debt Service Administration) to 1B08 (Atlantic Station TAD Fund) 792003 (Reserve, Rest Sink FD REQ) ***** (Atlantic Station 2007 Refunding TAD Bonds); and for other purposes.

FAVORABLE

CFO Davis stated that this is to Anticipate and Appropriate the refunding done during the summer. It puts the money in the Debt Service Funds for 2008 and covers insurance costs. Councilmember Maddox offered a motion to **Approve, 5 Yeas.**

TO AMEND ORDINANCE 07-O-1808 WHICH APPROVED THE FY2008 CAPITAL BUDGET

07-O-2401 (2) A **Substitute** Ordinance by Finance/Executive Committee Amending Ordinance 07-O-1808 which approved the FY2008 Capital Budget for the City of Atlanta's Capital Funds; and for other purposes. **(Finance/Executive Committee Substitute..., 11/28/07)**

FORWARD ON SUBSTITUTE ON CONDITION

Chairperson Shook stated that we have a Substitute. CFO Davis responded that when it was approved, there were some human errors. There should have not been anything in the adjustment columns. This paper removes the items in the adjustment column. The attachment indicates what we were trying to do. There are no new funds being added. The next three columns have no impact at all. It was moving one line item to another one. The overall difference is \$1,521,578. Councilmember Moore stated that there is more in the package than that. There are changes in the adjustment and we are just now getting it. For instance, under the Planning Department there are adjustments. CFO Davis responded that there are no new adjustments. Appropriations roll from one year to the next. There shouldn't be a number in the adjustments column because there is no new money. CFO Davis responded in the left is the proposed amendment. Councilmember Moore stated that every page has corrections. CFO Davis responded that we are providing the entire Budget. We re-did the entire document instead of substituting pages.

Mr. Jermaine McClain: of Budget and Fiscal Policy addressed the Committee by stating that we are showing the Funds that were affected. It is the entire Fund. Councilmember Moore stated that there were Departments not listed in the summary. CFO Davis responded that this document summarizes the change, such as 1C28 shows the anticipation, then there is the breakdown with the different Offices. You would have to compare it to the original document. Chairperson Shook stated that we will move it **Forward on Condition of receiving more information, 6 Yeas.**

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

07-O-2403 (3) An Ordinance by Finance/Executive Committee Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances, to authorize the Mayor to execute an Agreement with ING Financial Advisers, for FC-7339-01, Defined Contribution Plan, on behalf of the Department of Finance, in an amount not to exceed fifty thousand dollars and no cents (\$50,000.00); all expenses shall be Charged To and Paid From Fund Account and Center Number 1A01 (General Fund) 524009 (Financial Managers Consultants) J81701 (Pension Administration); and for other purposes.

FAVORABLE

CFO Davis stated that this is in support of the Defined Contribution Plan. It was originally done in December 2001. The contract expired in 2004. We put forth legislation that was approved in June 2005. We did renewals in 2006 and attempted in 2007. There is no competition for the contract. We are asking to waive the

Procurement Code to extend the contract for another year. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO CORRECT THE CENTER NUMBERS IN ORDINANCE NUMBER 07-O-1654

07-O-2406 (4) An Ordinance by Finance/Executive Committee to correct the Center Numbers in Ordinance Number 07-O-1654 adopted by the Atlanta City Council on September 17, 2007 and approved by the Mayor on September 24, 2007; and for other purposes.

FAVORABLE

Chairperson Shook offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE DEPARTMENT OF FINANCE OF THE CITY OF ATLANTA TO MAKE PAYROLL DEDUCTIONS IN THE AMOUNT OF THIRTY FIVE DOLLARS PER MONTH

07-O-2518 (5) An Ordinance by Councilmember Howard Shook Authorizing the Department of Finance of the City of Atlanta to make payroll deductions in the amount of thirty five dollars per month from the paychecks of those employees parking in the new Government Center Parking Deck; all funds shall be deposited to Fund, Account and Center Number 2N02 (2006 A & B Downtown Parking Project Fund) 662201 (Building Rentals – General) D*****; and for other purposes.

FAVORABLE

Councilmember Maddox asked when will the parking lot be opened? CFO Davis responded that there is no fee until July. We are still assigning personnel. You can pass it with the asterisks. Councilmember Moore asked if there is a determination of how many spaces there are for Council. Councilmember Maddox responded that Council has 59 spaces. Councilmember Moore stated that each employee has to pay for their own spaces. What is the plan for others? Chairperson Shook offered a motion to **Approve, 6 Yeas.**

Mr. Larry Riddle: Director of Enterprise Assets Management addressed the Committee by stating that the total number of spaces is 350 with 50 spaces already reserved. 59 spaces are reserved for Council. The Civic Center will continue to be free and Turner Field will remain open for parking until January 30, 2008. Councilmember Moore asked what are the other options? Mr. Riddle responded that we are also trying to get parking at Claire Drive. There will be other options. Councilmember Moore asked for the specifics on the 350 spaces.

Mr. Bob Barger: Director of Council addressed the Committee by stating that Council has 59 spaces for all employees that requested parking. Councilmember Muller asked what happens when there are employee turnovers. Mr. Riddle responded that you will continue to have the allocated amount. The allocation was based on the number of employees. CFO Davis responded that the space will not be sitting vacant. There will always be someone who needs the space.

TO AUTHORIZE THE MAYOR TO ENTER INTO AMENDMENT AGREEMENT NO. 2 TO CONTRACT FC-7646-03

07-O-2524 (6) An Ordinance by Councilmember Carla Smith **as Substituted by Finance/Executive Committee (1), 11/28/07** Authorizing the Mayor to enter into Amendment Agreement No. 2 to Contract FC-7646-03, West Area CSO Storage Tunnel and Pumping Station with Atlanta CSO Constructors, Joint Venture on behalf of the

Department of Watershed Management to provide for additional time for completion of the project; that all Ordinances or parts of Ordinances in conflict herewith, specifically including Article X, of the Procurement and Real Estate and Code, are hereby waived to the extent that such applies; and for other purposes. **(Finance/ Executive Committee Substitute extends the contract to 435 days, 11/28/07)**

FAVORABLE ON SUBSTITUTE

Mr. George Barnes: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is one of nine CSO projects. The West Tunnel had delays. The request has been approved. The Substitute extends the contract by 435 days.

Ms. Renee Shepherd: Senior Assistant City Attorney addressed the Committee by stating that there are no material changes. There are no fines associated with this. There is no additional cost or compensation to the contractor. We are waiving the Procurement Code. Councilmember Muller offered a motion to **Approve on Substitute, 6 Yeas**. She then stated that Judge Graves mentioned that this is unavoidable. The Substitute has clean up language and corrects the Whereas Clause.

TO AMEND CHAPTER 114, PERSONNEL, ARTICLE "IV"

07-O-2537 (7) An Ordinance by Councilmember Kwanza Hall to Amend Chapter 114, Personnel, Article "IV", Classification Plan and Pay Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the salary grades of positions in the Office of Council Staff and Municipal Clerk; and for other purposes.

FILE

Councilmember Hall stated that the best course to increase the salaries is to include them in the Budget for next year. He then offered a motion to **File, 6 Yeas**. The Department of Human Resources will look at the positions and come back with their findings.

Ms. Sherry Dickerson: of the Department of Human Resources addressed the Committee by stating that we will start the survey in about six weeks. Councilmember Maddox asked if the decision has been made to fill the Director's position. Councilmember Moore stated that Council asked Mr. Barger to hold off on hiring for the Director's position. In conjunction to personnel issues, we wanted to look at the type of positions we wanted to have and evaluate the staff that we have. Mr. Barger would like to go ahead and fill the position, but does not have the authorization. We were supposed to discuss this issue at the Retreat. Councilmember Winslow asked how long has the position been vacant. We need to get someone in that position as soon as possible.

TO SUPPORT REGIONAL EFFORTS TO ADDRESS TRANSPORTATION FUNDING

07-R-2434 (1) A Resolution by Councilmember Clair Muller supporting regional efforts to address transportation funding; the need for State Assistance in addressing State and Regional Transportation Funding; to recognize City of Atlanta actions to identify Regional Transportation Solutions; and for other purposes. **(Referred to Finance/Executive Committee, 11/14/07); (Finance/ Executive Committee Amendment removes the next to last paragraph and the last Resolve, leave the next to last sentence and be it finally resolved and Resolution be sent to**

**the Chairs of the Transportation Committee and Governor
Sonny Purdue, 11/28/07)**

FAVORABLE AS AMENDED

Councilmember Muller stated that this needs to be with the Legislative Package. It needs to be Amended to remove language in the next to last paragraph and the last Resolve, leave the next to last sentence and Be It Finally Resolved and the Resolution should be sent to the Chairs of the State Sub-Committees and Governor Sonny Purdue. She then offered a motion to **Approve as Amended, 6 Yeas**. Ms. Middleton responded that it can be stand along or with the Package.

**TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO STONE
AGE DESIGNS LLC**

07-R-2468 (2)

A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Stone Age Designs LLC in an amount not to exceed thirteen thousand five hundred ninety four dollars and fifty cents (\$13,594.50) for an overpayment of business license fees; all funds shall be charged to and paid from Fund Account and Center Number 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund Wide Expenses); and for other purposes.

FAVORABLE

Chairperson Shook offered a motion to **Approve, 6 Yeas**.

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN CONTRACTUAL AGREEMENT
WITH THE XEROX CORPORATION**

07-R-2469 (3)

A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an contractual agreement with the Xerox Corporation, for FC-6007000063, to operate and manage the Document Service Center in Atlanta City Hall and City Hall East, as a cost savings benefit for city departments on behalf of the Office of Facilities Management, in an amount not to exceed one hundred two thousand four hundred fifty four dollars (\$119,088.00). All funds to be paid from Fund, Account, Center number: 1A01 (General Fund) 524001 (Consultant Services) D81012 (Printing Facilities-City Hall South); and for other purposes. **(Finance/Executive Committee Substitute changes the name from the Office of Facilities Management to the Office of Enterprise Assets Management and changes the amount to \$119,088.00, 11/28/07)**

HELD AND SUBSTITUTED

Ms. Perceta Watkins: of Enterprise Assets Management addressed the Committee by stating that we want to Hold this paper. The Substitute changes the name from Facilities Management to Enterprise Assets Management and changes the amount to \$119,088.00.

Mr. Michael Getty: addressed the Committee by stating that he was recently Riffed. The Document Service Center was not ever officially opened. He wanted to make himself available to answer any questions. He maintained it and operated the Center. He ran the Document Service Center downstairs. Chairperson Shook asked if the \$119,000 covers two people. What was the cost of the full time positions? Ms. Watkins responded that the value of the contract is \$119,000. The Department of Finance did a cost benefit analysis. Chairperson Shook asked to see the documentation.

Councilmember Moore stated that she also wants to see the cost benefit analysis. She wants to see the entire cost of operations as well as financial and other benefits. She also asked for basic information for the rationale. Ms. Watkins responded that this contract was decided prior to the new Director. Mr. Riddle added that it is being put on Hold because there is a lot of new management on board. We wanted to understand the history associated with it first. It was recommended by the previous Director of General Services. Councilmember Winslow asked if this is what Governments are doing now in regards to record keeping. Mr. Riddle responded that it is happening a lot on the outsourcing side and there are benefits from it. There was a document from Finance regarding the cost benefits.

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE OFFICE OF FACILITIES MANAGEMENT, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ("MOU")

07-R-2470 (4) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor, on behalf of the Office of Facilities Management, to enter into a Memorandum of Understanding ("MOU") with the Atlanta Workforce Development Agency, for the purpose of implementing a culinary training program in the City Hall Cafeteria, for a period of two years with two (2) one year renewal options, in an amount not to exceed twenty five dollars (\$25.00) monthly; that all revenue received pursuant to this MOU shall be deposited into Fund, Account, and Center Number: 1A01 (General Fund) 462311(Food, Drink & Notions) B00001 (Revenue Center); and for other purposes. **(Finance/Executive Committee Substitute changes the name to Enterprise Assets Management, 11/28/07)**

HELD AND SUBSTITUTED

Chairperson Shook stated that we have a Substitute. Ms. Watkins responded that we want the paper to be Held. The Substitute changes the Office name to Enterprise Assets Management. The contract is for Gourmet Services. Councilmember Moore asked how long will it be Held. Ms. Watkins responded until we get more information.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE RENEWAL AGREEMENT NO. 1

07-R-2471 (5) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to execute Renewal Agreement No. 1 with Resurgens Risk Management/Willis Insurance Services of Georgia, for FC-6004007869, Insurance Agent Broker, on behalf of the Department of Finance, in an amount not to exceed \$120,000 plus an OCIP Airport Fee of .0025 X total construction cost subject to an annual minimum of \$200,000; all contracted work shall be charged to and paid from Fund, Account, and Center numbers 1A01 (General Fund) 529007 (Insurance Expenses) J81201 (Risk Management) (\$120,000.00); 2H21 (Airport Renewal and Extension Fund) 529007 (Insurance Expenses) R21E69009999 (Capital Design & Program Management Insurance) (.0025 X Total Construction Cost Subject to an annual minimum of \$200,000.00).

FAVORABLE

CFO Davis stated that it is the first renewal. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 2

07-R-2472 (6) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment Agreement No. 2 with Thyssen Krupp Elevator Corporation on behalf of the Office of Facilities Management, for FC-6005007878, to appropriate additional funding for the Bureau of Wastewater Treatment and Collection, in an amount not to exceed thirty four thousand two hundred dollars (\$34,200.00). All contracted work will be charged to and paid from Fund, Account and Center numbers: 2J01 (Water and Wastewater Revenue Fund) 523001 (Service Repair and Maintenance) Q32001 (RM Clayton), 2J01 (Water and Wastewater Revenue Fund) 523001 (Service Repair and Maintenance) Q33001 (Treatment Plant-Utoy Creek), 2J01 (Water and Wastewater Revenue Fund) 523001 (Service Repair and Maintenance) Q35001 (South River), 2J01 (Water and Wastewater Revenue Fund) 523001 (Service Repair Maintenance) Q36001 (Intrenchment); and for other purposes. **(Finance/Executive Committee Substitute changes the name of the Office to Enterprise Assets Management and changes it to Renewal #2 in the second Whereas, 11/28/07)**

FAVORABLE ON SUBSTITUTE

Councilmember Hall stated that we have a Substitute. Ms. Watkins responded that this is to amend the elevator contract for Utoy, South River and R.M. Clayton. Councilmember Moore offered a motion to **Approve on Substitute, 6 Yeas.**

TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

07-R-2512 (7) A **Substitute** Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Intergovernmental Agreement with the Metropolitan Atlanta Rapid Transit Authority, for the purpose of installing and maintaining Bus Stop Facilities in the City of Atlanta's Rights-Of-Way, for a period of fifteen (15) years commencing on January 1, 2008. That all annual revenue received from this Agreement shall be deposited into Fund, Account, and Center Numbers: 3P02 (Trust Fund) 433201 (Local Shared Revenues) Y12Q04139999 (Streetscape Improvement & Maintenance Program); 3P02 4***** M*****; and for other purposes. **(Finance/Executive Committee Substitute spells out the FAC and puts in place the name, 11/28/07)**

FAVORABLE ON SUBSTITUTE

Chairperson Shook stated that we have a substitute. This is to update our agreement with Marta. CFO Davis stated that the Substitute spells out the FAC and puts in place the name. Councilmember Moore asked if Exhibit A is with the contract.

Mr. Nursef Kedir: of the Office of Traffic and Transportation addressed the Committee by stating that we are trying to do a new Exhibit A for 2008. Councilmember Moore asked what is different from the previous one. Mr. Kedir responded that we have a different contractor.

Ms. Marian Lancaster: of MARTA addressed the Committee by stating that any shelter that is over 18 years old will be replaced. There are 175 advertising shelters that are over 10 years old and 86 non-advertising shelters. The maintenance includes litter pickup, landscaping, cleaning the shelters and graffiti removal. They will pay us \$140,000 annually for two Auditors. We will pass the responsibility on to the

contractor. The City's contract is with MARTA and we pass the compliant on to the contractor. The local jurisdiction is responsible for the stops and we are responsible for the shelters. We will also solicit legislation for new shelters. Councilmember Moore asked if we can come up with ad trash cans. Ms. Lancaster responded that if there is new funding, we have the flexibility to do that. We have estimates of \$1 million lump sum payments. The City's share is \$314,000 with a monthly payment of \$28,000. Councilmember Moore asked what is the City's policy for bus stop maintenance and trash receptacles? Mr. Kedir responded that we do have receptacles. Councilmember Maddox asked how many new shelters are there. Ms. Lancaster responded that they are not limited. The contractor will provide 10 shelters per year that are non-advertisement. Councilmember Maddox stated that he has been trying to get shelters for a long time. Ms. Lancaster responded that we had a program where we put out shelters for non-advertisement. We get a licensed permit from the owner. If the bus route is discontinued, we would have to remove it. Schools or churches are part of our criteria. Councilmember Maddox offered a motion to **Approve on Substitute, 6 Yeas.**

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF FIRE AND RESCUE ("DEPARTMENT"), TO ACCEPT A DONATION IN THE AMOUNT OF \$3,025.00

07-R-2519 (8) A Resolution by Councilmember Howard Shook Authorizing the Mayor, on behalf of the Department of Fire and Rescue ("Department"), to accept a donation in the amount of \$3,025.00 from the Buckhead Alliance for the purpose of purchasing furniture and other household items for Fire Station #21; and for other purposes.

FAVORABLE

Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE MAYOR TO EXECUTE A MASTER AGREEMENT WITH TDC SYSTEMS INTEGRATION, INC. FOR FC-6006007881

06-R-1667 (1) An **Amended** Resolution by Finance/Executive Committee Authorizing the Mayor to execute a Master Agreement with TDC Systems Integration, Inc. for FC-6006007881, Citywide On-Call Services for Information Technology Staffing; authorizing the Chief Information Officer of the Department of Information Technology, the Director of Information Technology of the Department of Watershed Management and the Aviation Information Systems Director of the Department of Aviation to execute all statements of work; all contracted work shall be Charged To and Paid From Various Fund, Account and Center Numbers; and for other purposes. **(Amended and Held, 8/16/06 at the request of the Committee to allow time pending additional review)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE SANDTOWN COMMUNITY

06-O-1924 (2) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as the Sandtown Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor**

requests that the annexation application be withdrawn, it expires or the annexation process is restarted)

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE GLENN TO THE CORPORATION LIMITS

06-O-1926 (3) An Ordinance by Councilmembers Howard Shook, Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land known as Cascade Glenn to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Referred back by Full Council, 12/04/06); (Held, 12/13/06 until such time that the community sponsor requests that the annexation application be withdrawn, it expires or the annexation process is restarted)**

HELD

TO PROVIDE FOR THE ANNEXATION OF LAND TO THE CORPORATE LIMITS

06-O-2250 (4) An Ordinance by Councilmembers Jim Maddox, H. Lamar Willis and Ceasar C. Mitchell to provide for the Annexation of Land to the Corporate Limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 10/11/06 at the request of the Law Department)**

HELD

Councilmember Maddox asked for a status of the outcome of the Election. Senior Assistant City Attorney Andrews responded that we need to get a Zoning and Land Use paper first before we can finalize the Annexation. He is meeting with Planning to see what is going on and will have the information on Monday. The other Annexation papers are where we have not heard back from the applicants to finalize discussions with South Fulton. Chairperson Shook asked if the two companion papers will be introduced on Monday. Senior Assistant City Attorney Andrews responded that he will find out when he meets with Planning.

TO AMEND THE PROCUREMENT CODE OF THE CITY OF ATLANTA, GEORGIA

07-O-0138 (5) An Ordinance by Councilmember Ceasar C. Mitchell to Amend the Procurement Code of the City of Atlanta, Georgia by Adding to Section 2-1142; monthly report to City Council; and for other purposes. **(Held, 1/31/07 at the request of the Department of Procurement for an additional study)**

HELD

TO AUTHORIZE THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

07-O-0622 (6) An Ordinance by Councilmembers Anne Fauver and Carla Smith Authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances to maximize efficiency in purchasing systems furniture for several City of Atlanta Capital Projects; and for other purposes. **(Held, 3/28/07 pending a Substitute to include other Projects)**

HELD**TO PROVIDE FOR THE ANNEXATION OF 4605 BIRDIE LANE, SW, ATLANTA, GEORGIA, 30331**

- 07-O-0623 (7) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of 4605 Birdie Lane, SW, Atlanta, Georgia, 30331, 0.404 acres of land located in Land Lot 61 of the 14th District of Fulton County to the corporate limits of the City of Atlanta, Georgia; to provide for the notification of the Department of Community Affairs of the State of Georgia of such Annexation; and for other purposes. **(Held, 3/28/07 to ensure annexation procedures are executed appropriately)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS CASCADE FALLS SUBDIVISION TO THE CORPORATE LIMITS OF THE CITY OF ATLANTA**

- 07-O-0624 (8) An Ordinance by Councilmember James Maddox to provide for the Annexation of land known as Cascade Falls Subdivision to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 3/28/07 pending review to determine additional properties contiguous to the City are identified and included in the annexation)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE ORKNEY/LANARK DRIVE COMMUNITY**

- 07-O-0968 (9) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Orkney/Lanark Drive Community to the Corporate Limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO PROVIDE FOR THE ANNEXATION OF LAND KNOWN AS THE HUNTINGTON COMMUNITY (POMPEY DRIVE/OLD FAIRBURN ROAD)**

- 07-O-0969 (10) An Ordinance by Councilmember Jim Maddox to provide for the Annexation of land known as the Huntington Community (Pompey Drive/Old Fairburn Road) to the corporate limits of the City of Atlanta; to provide for the notification of the Department of Community Affairs; and for other purposes. **(Held, 5/16/07 due to State requirement)**

HELD**TO AMEND ARTICLE V. CLASSIFICATION PLAN, OF THE CODE OR ORDINANCES, CITY OF ATLANTA, GEORGIA**

- 07-O-0974 (11) An Ordinance by Councilmember C.T. Martin **as Substituted by Finance/Executive Committee** to Amend Article V. Classification Plan, of the Code of Ordinances, City of Atlanta,

Georgia, so as to create (215) positions in the Atlanta Police Department; and for other purposes. **(Substituted and Held, 5/16/07 in conjunction with consideration of 2008 Budget)**

HELD

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

07-R-1086 (12) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to enter into a Cooperative Purchasing Agreement pursuant to Chapter 2, Article X, Division 15, Section 2-1601 et. Seq. of the City of Atlanta Code of Ordinances, utilizing State of Georgia Contract #SWC50755 with Bank of America, N.A., on behalf of the Department of Finance, for the use of Bank of America Visa purchasing cards and associated services; and for other purposes. **(Held, 5/30/07 pending receipt of documentation that the recommendations from the Credit Card Audit are met)**

HELD

TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ALLOW THE CITY TO IMPOSE A VERIFICATION/CONVENIENCE FEE IN THE AMOUNT OF \$4.50

07-O-1087 (13) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to allow the City to impose a verification/convenience fee in the amount of \$4.50 on credit cards users, on-line payment users, electronic check users, or interactive voice response users submitting payments for fees and/or fines imposed by the City of Atlanta such as those associated with traffic enforcement and Water and Wastewater City Services; to recover the cost the City pays to third-party vendors to process such payments; all collected funds will be deposited into various Fund, Account and Center Numbers; and for other purposes.**(Referred back to Finance/Executive Committee by Council, August 20, 2007); (Held, 8/29/07)**

HELD

TO ENCOURAGE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE EMPLOYEE FREE CHOICE ACT

07-R-1904 (14) A Resolution by Councilmember Joyce M. Sheperd that encourages Members of the United States Congress to support the Employee Free Choice Act which authorizes the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them. **(Held, 9/12/07 at the request of the Committee to discuss with the Author)**

HELD

TO SUPPORT H.R. 2447 TO ESTABLISH AN ENERGY AND ENVIRONMENT BLOCK GRANT PROGRAM

07-R-2138 (15) A Resolution by Councilmember Ceasar C. Mitchell to support H.R. 2447 to establish an Energy and Environment Block Grant

Program that is presently before the United States Congress; and for other purposes. **(Held, 10/10/07)**

HELD

TO ENDORSE HR 3535 HOMEBUYER'S PROTECTION ACT OF 2007

07-R-2139 (16) A Resolution by Councilmember Ceasar C. Mitchell to endorse HR 3535 Homebuyer's Protection Act of 2007 pending in the United States Congress; to urge the Georgia Congressional Delegation to support the Act; and for other purposes. **(Held, 10/10/07)**

HELD

TO AMEND THE CODE OF ORDINANCES IN ORDER TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR PURCHASE

07-O-2148 (17) An Ordinance by Finance/Executive Committee to amend the Code of Ordinances in order to provide the eligibility requirements for purchase of prior service credit by former members of the Fulton County Fire Department who transfer to the City of Atlanta Fire Department. **(Held for receipt of actuarial report, 10/31/07)**

FAVORABLE

CFO Davis stated that we received a letter from the Actuary and the assessment of the impact. It indicates that there is no negative impact on the Budget. It is for 25 to 50 people. Councilmember Maddox offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE MAYOR OF THE CITY OF ATLANTA TO EXECUTE A QUITCLAIM DEED

07-R-2391 (18) A Resolution by Finance/Executive Committee Authorizing the Mayor of the City of Atlanta to execute a Quitclaim Deed to the Enclave of Kirkwood, LLC; and for other purposes. **(Held, 11/19/07); (Finance/Executive Committee Conditional passage of getting direction from the Councilmember who District it is and the Subdivision status, 11/28/07)**

FORWARD WITH NO RECOMMENDATION ON CONDITION

Mr. Earl Williams: of NPU O addressed the Committee by stating that the paper was Held because the owner was not able to respond. The abandonment portion of Browning Street would result in a conflict for planning and lot distribution. Page #2 is the communication from Karen Huebner. We had difficulty believing that there was an abandonment in 1963. We would like to request much more examination of the proposal. Councilmember Moore asked where the paper originated from. Chairperson Shook stated that we were told that the City formally announced its claim on the property. Mr. Williams responded that it was not recorded. There are curb cut outs to identify the street. Councilmember Muller asked if there is a proposal to subdivide part of Browning Street. Mr. Williams responded that they would have to reapply for a Subdivision permit. As of September, the developer has not responded to the Department of Planning. Chairperson Shook asked if the applicant owned the abutting property.

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that it has been close to a year since the application for abandonment. He asked Mr. Shelby to look at the abandonment process. From there it was a matter of abandonment. He has attached documents from 1963 and 1965. The Ordinance has

the Quit Claim Deed attached to it. Chairperson Shook stated that we will provide copies of the documents that are attached to Mr. Williams. Mr. Williams stated that the abandonment represents part of the project. Chairperson Shook asked what is the result of Holding the legislation. Senior Assistant City Attorney Andrews responded that we wanted to do it before Council goes on break. Chairperson Shook asked what is the legal jeopardy? Senior Assistant City Attorney Andrews responded that they have the ability to file a lawsuit. We have already abandoned our interest. He will research the Subdivision process. Councilmember Muller stated that Urban Design and NPU O are saying that a Subdivision cannot happen because it is in a Historic District. Mr. Williams responded that he wanted to make sure that NPU O is on record with their concerns. Senior Assistant City Attorney Andrews responded that the property owner has significant debt on the property. To do any more work on it is crucial. When they applied for the Subdivision, they did the abandonment process. If it was a set abandonment, it would be easier. Chairperson Shook stated that this sounds like a clerical issue. He doesn't think the approval of this will affect the decision. He is satisfied that the City went through the process appropriately. He will take up Mr. Andrew's word to report back to us. Councilmember Moore asked if there is any other information still outstanding or any information from the District Councilmember. She then offered a motion to send it Forward With No Recommendation on Condition of getting direction from the Councilmember whose District it is and the Subdivision status. Senior Assistant City Attorney Andrews responded that the City only had an easement to the property. The easement rights were to build a road that never happened.

TO URGE THE 2008 GEORGIA GENERAL ASSEMBLY TO SUPPORT THE CITY OF ATLANTA'S 2008 LEGISLATIVE PACKAGE

07-R-2392 (19) A **Amended** Resolution by Finance/Executive Committee urging the 2008 Georgia General Assembly to support the City of Atlanta's 2008 Legislative Package; and for other purposes. **(Held and Substituted, 11/19/07)**

FAVORABLE AS AMENDED

Ms. Megan Middleton: Mayor's Office of Intergovernmental Affairs Manager addressed the Committee by stating that the Substitute takes out one of the requests regarding registration from rental property owners and a paper from Watershed Management. Councilmember Winslow asked if we are adding the Transportation Plan paper. Ms. Middleton responded yes. Councilmember Moore stated that we amended the Resolution to add the Governor and the Sub Committees to receive copies. Councilmember Moore asked if the rental property owner's registration paper can be put in the same format. Ms. Middleton responded it could be as an attached Resolution. Chairperson Shook offered a motion to **add 07-R-2434, 6 Yeas,**. He then took up the item regarding rental property owner's registration. Councilmember Winslow, Maddox and Hall abstained from voting because they are property owners. Councilmember Moore asked what are we asking the State to do. Ms. Middleton responded that this is asking the State to provide identification for rental property. Councilmember Moore asked about the vacant property.

Mr. Tim Hardy: Director of the Office of Codes Compliance addressed the Committee by stating that it is important to eliminate the prohibition for registration. We can put in the legislation for the definition of vacant property. It was related to privacy issues. Previously there was no prohibition, but now it prohibits the owner and tenants. Our aim is not to identify any tenants. Councilmember Moore asked how would we ensure compliance of owners. Mr. Hardy responded that staff would track ownership. Councilmember Moore asked about the \$100 to \$500 fee. Mr. Hardy responded that there will be discussions to any specifics then we can address and adjust them. There is clear registration in Wayne County, Chicago and others. The records we deal with from Fulton County are six to eight months behind. There are a lot of absentees and turnovers. Councilmember Moore stated that if we have a problem, we still have to find

them. Mr. Hardy responded that we can put in guidelines where agencies are responsible for the property. The agent would have to have an address. This would put us in a better place. Councilmember Moore stated that she does not see how we can cross the hurdle. Mr. Hardy responded that we can get there. Chairperson Shook stated that in order to enact this, it would require legislation. Mr. Hardy responded that is when the discussions will take place. Councilmember Sheperd stated that we met with the Apartment Association and we know that this will be an uphill battle. We know that they will talk about the issues around that. They understand that Atlanta is an urban City and they were open to more conversations. **HB 748** was a controversial Bill. In January, we will continue this conversation with the Apartment Association. We will talk with the Georgia Real Estate Association and the Atlanta Board of Realtors as well. We want to send the legislation forward so that when it gets to the State, they will understand where we are trying to go with this. Councilmember Moore offered a motion to **Approve the Amendment, 3 Yeas, 3 Abstentions**. We should aid in the conversation suggestions. We need someone to help us with better understanding of who owns these properties. We need to ask Fulton County to discuss with us why it takes so long for the properties to be recorded. Councilmember Muller stated that we received a copy of the Fort McPherson paper. Councilmember Sheperd stated that last year the Bill was introduced at the last minute by Representative Bob Holmes. Mr. Holmes stated that the assumption was that it was to be introduced by the City. The paper is being held to be discussed this year. We need to have discussions regarding it. The State would do the implementation. It has not come before Council. Councilmember Moore asked if you want the City to take a position. Councilmember Sheperd responded yes, she will get an update on next week.

Mr. Greg Pridgeon: Mayor's Office Chief of Staff addressed the Committee by stating that we are aware of the legislation and proposed modifications to the Bill. The City would have the majority of members on the Board. The Governor would have to accept the board of jurisdictions. Senator Fort is concerned that the City of Atlanta should do the implementations. There is a large dollar amount tied to the project. Another issue is the impact of the development. They also want to do restoration of homes in the area. The Army is the owner and could choose not to accept our plans. Some of the items they would have to accept because it is a Historic District. They could sell the land to the highest bidder. He understands that the concerns he has expressed are philosophical. Councilmember Sheperd stated that she was diligent with making sure the community was involved. We would like to see the LRA from a State level. The City of Atlanta would have the majority of the LRA Board. Councilmember Muller stated that she has concerns with the TAD. Mr. Pridgeon responded that the majority of the property is owned by private individuals. Councilmember Sheperd stated that it is for 120 acres on the far south side. The State is not talking about all of Fort McPherson.

TO SUPPORT REBATES FOR RETROFITS FOR LOW-FLOW TOILETS

07-R-2431 (20) A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Clair Muller, Jim Maddox, Joyce M. Sheperd, H. Lamar Willis, Cleta Winslow, Ceasar C. Mitchell, Carla Smith and Mary Norwood to support rebates for Retrofits for Low-Flow Toilets; and for other purposes. **(Held, 11/19/07)**

HELD

Chairperson Shook stated that this was Held for additional consideration. Councilmember Moore stated that she needed more details as to where the money is coming from and how it is going to be implemented. Chairperson Shook stated that the money is to be deposited into the Program Account. The details will be constructed by the Department of Watershed Management. Councilmember Moore stated that she does not know who will get the rebates and what amounts will be distributed. Chairperson Shook stated that the goal was to engage other jurisdictions from the North Georgia Planning Districts. Councilmember Moore stated that she will not support this. She stated that she needs better revelation. She would support the paper

if you took out the \$1 million dollars. Chairperson Shook stated that the Departments want this paper to remain Held.

TO REQUEST THE 2008 GEORGIA GENERAL ASSEMBLY TO SUPPORT THE REQUIREMENT OF STATEWIDE RETROFITTING AND REPLACEMENT OF PLUMBING FIXTURES

07-R-2432 (21) A Resolution by Councilmembers Kwanza Hall, Ivory Lee Young, Jr., Clair Muller, Jim Maddox, Joyce M. Sheperd, H. Lamar Willis, Felicia A. Moore Cleta Winslow, Ceasar C. Mitchell, Carla Smith and Mary Norwood to request the 2008 Georgia General Assembly to support the requirement of Statewide Retrofitting and Replacement of Plumbing Fixtures with Low-Flow Plumbing Fixtures in accordance with Water Efficiency Guidelines as recommended by the Environmental Protection Agency upon the resale of certain properties; and for other purposes. **(Held, 11/19/07)**

FAVORABLE

Councilmember Moore offered a motion to **Approve, 5 Yeas**. She also wants it put in the Legislative Package. Mr. Pridgeon responded that we automatically put it in the Legislatively Package if it is adopted by Council.

ITEMS NOT ON AGENDA

TO AMEND THE CITY OF ATLANTA OCCUPATION TAX ORDINANCE

07-O-2540 (1) An Ordinance by Finance/Executive Committee Amending the City of Atlanta Occupation Tax Ordinance by the addition and deletion of certain language for the purpose of clarifying the operation of Sec. 30-63; confirming the effect of City Code Sec. 2-105 on this Ordinance; and for other purposes.

FAVORABLE ON FIRST READ

Mr. Lem Ward: Senior Assistant City Attorney addressed the Committee by stating that it allows for others to pay such as: doctors, lawyers, etc. Section 205 states that it is not a new Tax.

TO AUTHORIZE THE MAYOR, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO AMEND CONTRACT AGREEMENTS

07-R-2541 (1) A Resolution by Finance/Executive Committee Authorizing the Mayor, on behalf of the Department of Planning and Community Development, to amend Contract Agreements with H & H Demolition & Hauling, Inc., for FC-6006007938A; Leon Benton Construction, for FC-6006007938B; Mack Hauling, Inc., for FC-6006007938C; and Kissberg Construction, Inc., FC-6006007938D, in order to provide Citywide Demolition Services, in an amount not to exceed nine hundred thousand four hundred ninety two dollars and fourteen cents (\$900,492.14) total. All contracted work shall be charged to and paid from Fund, Account, and Center Numbers: 1A01 (General Fund) 524001 (Consultant/Professional Services) Y45001 (Zoning & Code Enforcement) \$13,323.95; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A24A (Housing Demolition/Reclamation, CD-610) \$3,123.19; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A22A (Housing

Demolition/Reclamation, CD-610) \$109,144.00; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A25A (Housing Demolition/Reclamation, CD-610) \$84,256.00; 1A01 (General Fund) 524001 (Consultant/Professional Services) Y45001 (Zoning & Code Enforcement) \$338,900.00; 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A26A (Housing Demolition/Reclamation, CD-610) \$62,704.17; and 1B01 (Community Development Fund) 529002 (Service Grants) Y43P0931A27A (Housing Demolition/Reclamation, CD-610) \$287,295.83; and for other purposes.

FAVORABLE

Mr. Hardy stated that this is for demolition. Chairperson Shook asked why is the amount different from what it was last year? Mr. Hardy responded that there are additional funds from the General and CDBG Funds. The total amount exceeds what was expended. Councilmember Winslow stated that there has been a great need to get buildings down for four years. Mr. Hardy responded that the total is \$942,000. Councilmember Winslow offered a motion to **Approve, 5 Yeas**. Councilmember Moore asked how many demolitions will there be. Mr. Hardy responded that we are doing 55 demolitions and received 85 orders. Councilmember Moore asked about the backlog. Mr. Hardy responded that it addresses backlogs and some that are coming in now.

TO AUTHORIZE THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT

07-R-2542 (2)

A Resolution by Finance/Executive Committee Authorizing the Mayor to enter into an Appropriate Contractual Agreement with Oracle USA, Inc., for FC-6007000058, Post-Production Support for ERP, on behalf of the Department of Information Technology, in an amount not to exceed two million five hundred thousand dollars and no cents (\$2,500,000.00); all contracted work shall be charged to and paid from Fund Account and Center Numbers 1C51 (Capital Finance Fund) 524001 (Consultant/Professional Services) T33401 (ERP Project); and for other purposes. **(Finance/Executive Committee Conditional passage of receiving information regarding cost, 11/28/07)**

FAVORABLE ON CONDITION

Mr. Mark Campbell: of the Department of Information Technology addressed the Committee by stating that it adds \$2.5 million dollars to the contract. It is not new money. CFO Davis agreed there is no new money. Councilmember Hall asked if we are in line with ERP. CFO Davis responded that we are getting support from DIT. Mr. Campbell added that we have models in place. CFO Davis stated that we will need dollars in the General Fund for ongoing operations for DIT. There will be personnel cost added to DIT. Councilmember Hall stated that he would Abstain until he is sure of the cost. CFO Davis responded that we go live on December 13th. There is an impact with waiting. We need this in place by then. DIT has something of that nature regarding the amount of people. Some of the people already reside within the Department. We were asked to match one to one. DIT will have at least seven types of people matched. It will be in the 2009 Budget. Councilmember Moore stated that we should get employees from here when we hire additional staff. What is the date of the first pay date? CFO Davis responded January 4th. Councilmember Moore offered a motion to **Approve on Condition of receiving information regarding cost, 6 Yeas**.

TO AUTHORIZE THE MAYOR OR HER DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO THE ORACLE CHANGE MANAGEMENT COOPERATIVE PURCHASING AGREEMENT

07-R-2543 (3) A Resolution by Finance/Executive Committee Authorizing the Mayor or her Designee to execute the First Amendment to the Oracle Change Management Cooperative Purchasing Agreement with BAE Systems Technology Solutions & Services, Inc., utilizing GSA Contract #GS-35F-0025J, on behalf of the Department of Finance, in an amount not to exceed seven hundred sixty two thousand one hundred thirty four dollars and no cents (\$762,134.00); all funds shall be charged to and paid from Fund Account and Center Number 1C51 (Capital Finance Fund) 524001 (Consultant/Professional Services) T33401 (ERP Project); and for other purposes.

FAVORABLE

CFO Davis stated that we are attempting to facilitate the management of our relationship with BAE. We are having difficulties managing those. BAE asked that we abandon one contract and move it to the same Agreement. We are adding another subsidiary we have a relationship with. Councilmember Hall asked when it was done. CFO Davis responded in September 2006. Councilmember Moore offered a motion to **Approve, 6 Yeas.**

TO AUTHORIZE THE CONTINUED FUNDING AND RENEWAL OF THE AGREEMENT BETWEEN THE CITY OF ATLANTA AND MOTOROLA, INC.

07-R-2546 (4) A Resolution by Finance/Executive Committee Authorizing the continued funding and renewal of the Agreement between the City of Atlanta and Motorola, Inc., for FC-6007000017, Radio System Upgrade, on behalf of the Office of the Mayor, through December 31, 2008; and for other purposes

FAVORABLE

Councilmember Hall offered a motion to **Approve, 6 Yeas.**

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Janice D. Davis, CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”